

September 23, 2002

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D. C. 20554

*Re: CC Docket Nos. 01-338, 98-147, and 96-98*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, the Competitive Telecommunications Commission ("CompTel") hereby gives notice that on September 20, 2002, its representative met with Matthew Brill, Legal Advisor to Commissioner Abernathy. In our meeting, CompTel explained that the Commission, in conducting its Triennial Review of the mandatory list of unbundled network elements ("UNEs"), should not remove any UNEs from the list unless, or until, it is clear that carriers using those UNEs can practicably use third-party, or self-provisioned facilities as substitutes for the ILEC UNEs the carrier is currently leasing. CompTel also encouraged the Commission to seek Supreme Court review of the May 24, 2002 *USTA v. FCC* decision.

Representing CompTel was the undersigned attorney.

Sincerely,

/s/

Jonathan D. Lee  
Vice President,  
Regulatory Affairs